

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

**HARVEY R. LEXING,
INDIVIDUALLY AND AS NEXT
FRIEND OF THE MINOR (EML)**

*** CIVIL ACTION NO. 17-1092**

VERSUS

*** JUDGE TERRY A. DOUGHTY**

**JOHN BEL EDWARDS IN HIS
CAPACITY AS GOVERNOR OF THE
STATE OF LOUISIANA, ET AL.**

*** MAG. JUDGE KAREN L. HAYES**

J U D G M E N T

The Report and Recommendation of the Magistrate Judge having been considered, together with the written objections thereto filed with this Court, and, after a *de novo* review of the record, finding that the Magistrate Judge's Report and Recommendation is correct,

IT IS ORDERED that the motions to dismiss for lack of subject matter jurisdiction, or alternatively, for failure to state a claim upon which relief can be granted [Doc. Nos. 11, 12, & 13] filed by Defendants John Bel Edwards, Marketa Garner Walters, and Keesha Bordelon, in their official capacities, are **GRANTED**, and Plaintiff's official capacity claims against said Defendants for prospective declaratory and injunctive relief (including a stay) under federal law are hereby **DISMISSED WITHOUT PREJUDICE**. Fed.R.Civ.P. 12(b)(1).

IT IS FURTHER ORDERED that the motions to dismiss for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted [Doc. Nos. 13, 17, & 19] filed by Defendants Keesha Bordelon, in her individual capacity; Albert E. Loomis, III; Mary Hamilton; and Anika Lashaye Carston are **GRANTED**, and Plaintiff's federal law claims

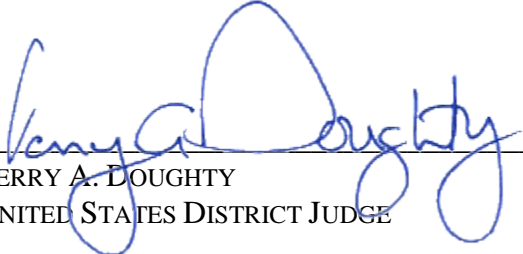
against said Defendants and those against Defendant Jo Caston, in her individual and official capacities are **DISMISSED WITH PREJUDICE**. Fed.R.Civ.P. 12(b)(6).

IT IS FURTHER ORDERED that Plaintiff's remaining state law claims are hereby **DISMISSED WITHOUT PREJUDICE**. 28 U.S.C. § 1367(c).

IT IS FURTHER ORDERED that the alternative motion for more definite statement [Doc. Nos. 17 & 19] filed by Defendants Albert E. Loomis, III, Mary Hamilton, and Anika Lashaye Carston, is **DENIED**.

IT IS FURTHER ORDERED that, to the extent that Plaintiff moves to amend his Complaint, the motion is **DENIED** as futile in light of the Court's analysis.

Monroe, Louisiana, this 22nd day of May, 2018.


TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE